

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

INCOME TAX REFERENCE NO.1187 OF 1998

Kopargaon SSK Ltd., Kopargaon .. Appellant.
V/s.
Commissioner of Income Tax .. Respondent.
Mr.P. Vaidya for the appellant.
Mr.A.S. Rao for the respondent.

CORAM : V.C. DAGA &
J.P. DEVADHAR, JJ.

DATED : 2ND MAY, 2005.

P.C. :

1. In this reference, the question referred for the opinion of this Court read as under :

Whether on the facts and in the circumstances of the case, the amount of Rs.50,000/- paid to the Maharashtra State Co-op. Union under the provisions of Sec.68 of Maharashtra State Co-operative Societies Act, is rightly treated by the Tribunal as not deductible from the income of the assessee ?

2. The question is already answered by the Apex Court in the case of Krishna SSK Ltd., V/s. CIT [229 ITR 577]. Accordingly, the question is answered in favour of the assessee and against the revenue.

3. The reference application stands disposed of with no order as to costs.
